

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 82629-3	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/CA 03/01778	International filing date (day/month/year) 21/11/2003	(Earliest) Priority Date (day/month/year) 21/11/2002
Applicant  WARATAH PHARMACEUTICALS, INC.		

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This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☒ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

## INTERNATIONAL SEARCH REPORT

National Application No

PCT/CA 03/01778

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K39/385 C07K14/595 A61K38/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, CHEM ABS Data, BIOSIS, PAJ, EMBASE, SEQUENCE SEARCH

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	BEHR T M ET AL: "RADIOLABELED PEPTIDES FOR TARGETING CHOLECYSTOKININ-B/GASTRIN RECEPTOR-EXPRESSING TUMORS" JOURNAL OF NUCLEAR MEDICINE, SOCIETY OF NUCLEAR MEDICINE. NEW YORK, US, vol. 40, no. 6, June 1999 (1999-06), pages 1029-1044, XP001062752 ISSN: 0161-5505 page 1029, column 1 table 1 page 1031, column 1, paragraph 1 - paragraph 2	1-53
Y	US 4 997 950 A (WALKER BRIAN ET AL) 5 March 1991 (1991-03-05) abstract table 6	1-53

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*G\* document member of the same patent family

Date of the actual completion of the international search

27 April 2004

Date of mailing of the international search report

13/05/2004

Name and mailing address of the ISA

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Keller, Y

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/CA 03/01778

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 0 380 230 A (APHTON CORP) 1 August 1990 (1990-08-01) page 7 ---	1-53
A	SANDVIK A. ET AL.: "Biological activity of carboxy terminal gastrin analogs" EUROPEAN JOURNAL OF PHARMACOLOGY, vol. 364, 1999, pages 199-203, XP002277987 ---	
A	LIMA-LEITE A.C. ET AL.: "synthesis and biological activities of the human gastrin analogues" BRAZILIAN JOURNAL OF MEDICAL AND BIOLOGICAL RESEARCH , vol. 29, 1996, pages 1253-1263, XP009029789 -----	

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 37-41, 48-51 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

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Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/CA 03/01778

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/CA 03/01778

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 4997950	A	05-03-1991	NONE	
EP 0380230	A	01-08-1990	US 5023077 A	11-06-1991
			AT 114160 T	15-12-1994
			AU 645967 B2	03-02-1994
			AU 5082090 A	24-08-1990
			CA 2045594 A1	25-07-1990
			DE 69014137 D1	22-12-1994
			DK 380230 T3	16-01-1995
			EP 0380230 A2	01-08-1990
			ES 2063912 T3	16-01-1995
			IE 66267 B1	27-12-1995
			JP 2526418 B2	21-08-1996
			JP 4503072 T	04-06-1992
			PT 92938 A ,B	31-07-1990
			WO 9008774 A1	09-08-1990
			US 5622702 A	22-04-1997
			US 5609870 A	11-03-1997
			US 5785970 A	28-07-1998
			US 5866128 A	02-02-1999
			US 5607676 A	04-03-1997

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